

RYAN J. SESTACK
RSESTACK@GRSM.COM
DIRECT DIAL: (212) 453-0722

ALFONS D'AURIA
ADAURIA@GRSM.COM
DIRECT DIAL: (332) 230-2159

GORDON & REES
SCULLY MANSUKHANI
YOUR 50 STATE PARTNER™

ATTORNEYS AT LAW
1 BATTERY PARK PLAZA,
28TH FLOOR
NEW YORK, NY 10004
WWW.GRSM.COM

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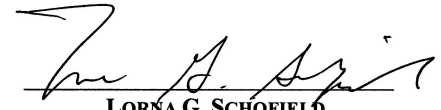
VIA ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Application **DENIED**. The initial pretrial conference scheduled for February 7, 2024, will proceed as scheduled. The parties shall prepare the conference materials without Defendant Tom Sullivan LLC and file the materials as soon as possible and no later than **February 5, 2024**. The Clerk of Court is respectfully directed to close the motion at Dkt. No. 26.

Dated: February 1, 2024
New York, New York

Re: *Volfman v. Jack & Alice LLC d/b/a Mimi., et al.*
Case No. 23-cv-9305-LGS


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dear Judge Schofield:

We represent defendant Jack & Alice LLC d/b/a Mimi (“Defendant”) in the above-referenced action alleging disability discrimination as a result of alleged accessibility barriers pursuant to the Americans with Disabilities Act, among other local statutes. With plaintiff’s consent, we write pursuant to Section I(B)(3) of Your Honor’s Individual Practice Rules to respectfully request an adjournment of the initial conference currently scheduled for February 7, 2024, to a date convenient for the Court. On December 14, 2023, plaintiff filed an amended complaint adding Tom Sullivan LLC as a defendant (Dkt. No. 14). To date, Tom Sullivan LLC has not appeared in this action. This request permits time for Tom Sullivan LLC, the owner of the building at issue, to appear and participate in this matter, allowing for more complete resolution discussions.

Accordingly, we respectfully request the Court adjourn the initial conference currently scheduled for February 7th, along with the corresponding deadline for pre-conference submissions, to a date convenient for the Court. This is Defendant’s first request to adjourn the initial conference, and as noted, is made with plaintiff’s consent.

We thank the Court for its consideration of this request.

Yours very truly,

/s/ Alfons D’Auria

Ryan J. Sestack
Alfons D’Auria

cc: All Counsel of Record (via ECF)